of Paradise.'" — Here is the church, the palace, the Laurentian library, he built. Here is his own house. In the church of Santa Croce are his mortal remains. Whilst he was yet alive, he asked that he might be buried in that church, in such a spot that the dome of the cathedral might be visible from his tomb, when the doors of the church stood open. And there, and so, is he laid. The innumerable pilgrims, whom the genius of Italy draws to the city, duly visit this church, which is to Florence what Westminster Abbey is to England. There, near the tomb of Nicholas Machiavelli, the historian and philosopher; of Galileus Galileo, the great-hearted astronomer; of Boccaccio; and of Alfieri, stands the monument of Michael Angelo Buonaroti. Three significant garlands are sculptured on the tomb; they should be four, but that his countrymen feared their own partiality. The forehead of the bust, esteemed a faithful likeness, is furrowed with eight deep wrinkles one above another. The traveller from a distant continent, who gazes on that marble brow, feels that he is not a stranger in the foreign church; for the great name of Michael Angelo sounds hospitably in his ear. He was not a citizen of any country; he belonged to the human race; he was a brother and a friend to all, who acknowledge the beauty that beams in universal nature, and who seek by labor and self-denial to approach its source in perfect goodness.

ART. II. — *Elements of International Law, with a Sketch of the History of the Science.* By HENRY WHEATON, LL. D., Resident Minister from the United States of America, to the Court of Berlin, &c. Philadelphia. 1836. 8vo. pp. 375.

THIS, so far as we are informed, is the first work upon the principles of the law of nations, that has appeared in the English language. Ward's History, though valuable in its way, is of course upon a different subject. Mr. Wheaton is well fitted by his professional pursuits, and his personal qualities and accomplishments, to supply this deficiency in our literature. As Reporter of the decisions of the Supreme Court of

the United States, he had opportunity to familiarize himself with the principles of one of the most important branches of the science; and his subsequent employment in the diplomatic service of the Government, has naturally turned his attention to the whole subject, as it is set forth in other elementary treatises. We may add, that he possesses the literary taste and talent, necessary to give the work the requisite finish in point of style. It is founded, as would naturally be expected, upon the basis of the best preceding treatises, particularly those of Martens and Klüber, which enjoy the highest reputation in Europe. In many parts, our author follows them very exactly. In others, however, he makes important additions; and he infuses into the whole mass the liberal spirit that prevails in the institutions and administration of the government of his own country. It is this last circumstance, which renders the work particularly valuable. The preceding writers on the subject, though mostly liberal in their political opinions, are yet more or less tinctured with prejudices, derived from their training in a school entirely different from that which is afforded by the practical politics of this country. In the discussions which are constantly going on with foreign governments upon the principles of international law, it is of considerable importance that we should have some treatises to refer to, which are written entirely in the spirit of our institutions. We may add, that Mr. Wheaton, though liberal in his views, is at the same time judicious and moderate, in his exposition of them; and lays himself open to no well-founded objection, as a supporter of extravagant and impracticable theories.

The subject is introduced by a sketch of the history of international law, occupying sixteen pages. This is necessarily, from its brevity, a somewhat meagre and unsatisfactory account of the science, and perhaps might as well have been omitted; especially as the subject had been so ably treated, in an abridged and accessible form, by Sir James Mackintosh, in the celebrated Introductory Lecture to the course which he delivered on the law of nations.

The treatise itself is divided into four parts, which treat respectively of the *Sources and Objects of International Law*, of the *absolute International Rights of States*, of the *International Rights of States in their pacific relations*, and lastly, of the *International Rights of States in their hostile relations.*

In the first chapter, which treats of the sources of interna-

tional law, Mr. Wheaton, in conformity with preceding writers, finds them in the general principles of the law of nature, regulating the relations of all moral agents, as applied to the intercourse of independent states. Though the principles are the same, whether applied to states or individuals, the difference between the characters of the subjects in the two cases, occasions great differences in the modes of applying these principles ; that is, in the rules of practice. Hence, the law of nations constitutes a distinct and separate chapter of the law of nature. It derives its obligatory character entirely from its being a part of that law. The principal difference between them is, that while the evidence of the law of nature as applied to individuals, is sought for practical purposes in the civil law of each separate country ; the evidence of the same law as applied to nations, is sought for practical purposes in treaties, conventions, decisions of admiralty courts, and in history, which may be regarded as a sort of collection of reports, showing how the law of nations has been understood and practised upon, at different times and places throughout the world. But the civil law in each country is binding, as such, on the individual, while the treaties, decisions of admiralty courts, and examples from history, which form the evidence of the law of nations, have, as such, no obligatory character upon the parties subject to that law. Hence, the law of nations resolves itself, for practical purposes, into the *usage of nations*, which is obligatory only so far as it may be conformable to the law of nature, of which conformity each nation remains for itself the sole and independent judge. It is only, therefore, as Mr. Wheaton rightly observes, in a peculiar and figurative sense, that we apply to the mass of particulars which makes up the evidence of this usage, the name of *Law*.

Upon these preliminary matters there is little dispute, at least among intelligent men, although the principles involved in them are far from being stated with perfect clearness by all the elementary writers. In his second chapter, entitled *Sovereign States*, Mr. Wheaton enters on a topic of a more debatable character. We may remark *en passant*, in reference to the title of this chapter, that the epithet *sovereign*, notwithstanding the contrary usage in this country, cannot perhaps with strict propriety be applied to a *state*. The correlative of *sovereign* is *subject ;* but a state, as such, is entirely independent of every other moral person, and can have neither

master nor subject. In its political sense, the word *sovereign* is properly applied to the highest or supreme power *in* a State; and in this sense it is habitually applied to the kings of Europe. In this country, the supreme or sovereign power is supposed to reside in the body of the people, who may be called with propriety *sovereign*, in contradistinction to the individual citizens, whether in or out of office. But the state, considered in its relation to other states, has no character either of *sovereignty*, that is, superiority, or *subjection*, that is, inferiority. All states stand, as such, on a footing of perfect equality. The idea intended, is properly expressed by the word *independent*. This may, perhaps, be thought a rather minute criticism; but perfect clearness and propriety in the use of language are absolutely indispensable to correct reasoning. The inconvenience of using the word *sovereign* in relation to states, is apparent occasionally in the work before us; as in the following remark.

"Sovereign states may be either single, or may be united together under a common sovereign, or by a federal compact."

States, which are at the same time *sovereign* and *subject*, must have a rather anomalous existence. — The phrase *sovereign states*, as here used, means merely *political societies*, or in one word *states*; and the idea is, that states may be either entirely independent, or united under a common government, or by a federal compact. The use of *single* in connexion with state, instead of *independent*, is an innovation, and we think not a happy one, on the usual forms of language.

In this chapter, Mr. Wheaton gives a succinct account of the nature of the union between Prussia and Poland, of the confederations of Switzerland and Germany, and of the Federal Constitution of this country. In speaking of the latter, he takes the true and only tenable distinction, between a league or confederacy of independent states, and a union of states into one body politic or people, like our own; which is, that in the former case, the acts of the body, representing the confederacy, are in the nature of requisitions on the members, and have no direct application except through the agency of the state governments. Whereas in the latter, the laws enacted by the federal government operate directly upon individuals, without the intervention of the states. This condition of things cannot be reconciled with any correct notion of entire independence, or in the common phrase, sovereignty. Hence,

the epithets independent or sovereign, when applied as they sometimes are, to the States of this Union, must be understood, if they are to be considered as correctly used, in a limited and qualified sense.

Mr. Wheaton also touches, in this chapter, on the interesting questions connected with the acknowledgment of the independence of new states, and on the manner in which the obligations of states are affected, by changes in their internal constitution, or in the person of the sovereign. He decides, that under all such changes they continue bound by their treaties, and responsible for all their acts. This principle formed the basis of the demands made by our government upon those of France, Holland, Spain, and Naples, after the fall of Napoleon and his dynasty, for indemnification for depredations committed upon our commerce during their period of power. The demand was long contested, sometimes on principle, but more frequently by evasive pretences of one kind or another, until at length it was acceded to by France, during the favorable moment immediately following the Revolution of 1830, when Lafayette exercised a strong influence in the public affairs. The other powers followed her example. The precedent thus established is of the most salutary character; and the whole affair furnishes one of the most remarkable examples, recorded in history, of the triumph of justice in international concerns, under very difficult circumstances, without resort to arms, and by the mere effect of perseverance, firmness, and discretion, in the management of the peaceful artillery of reason.

In the second part, which treats of the *absolute International Rights of States*, Mr. Wheaton discusses, at some length, the delicate question of the Right of Intervention by one state in the internal affairs of another; and gives a succinct but interesting sketch of the several instances of such intervention, that have occurred in the recent history of Europe. As respects the character of these proceedings, Mr. Wheaton correctly remarks, that "they cannot be referred to any fixed and definite principle of international law, or considered as furnishing a general rule fit to be observed in other apparently analogous cases." It is obvious, in fact, that intervention by one state in the internal affairs of another, is inconsistent with the relation of independence which exists between them; and is, therefore, contrary to the law of nature. If justifiable at all, it must be

justified, in each case, as an exception to the general law, on the high and paramount ground of absolute self-defence. The right, sometimes asserted, of interfering to prevent the aggrandizement of a state by lawful means, lest its increased power, if abused, should become dangerous, is obviously a mere chimera. It is not only the right, but the duty, of every state to develope its resources to the utmost. The pretence in question, which if honestly put forward would be merely absurd, is in practice uniformly a cover for cupidity and violence. Cases may however be supposed, in which the known and avowed principles of the constitution and administration of a state may be such, as not only to justify other nations in interfering, but to render it their strict and solemn duty. Such, for example, was the little community of the Assassins in the mountains of Syria; and such at the present day are the piratical states of Barbary. The toleration of the existence of these hordes of sea-robbers by the great maritime powers, in order that they might serve as a check upon the trade of the smaller ones, is one of the least honorable features in the history of modern Europe; and it is a fit subject of national pride with us as Americans, that the determination recently evinced by Great Britain and France to break them up, may be traced in no small degree to the influence of our example.

The fourth chapter of this part contains, among other interesting passages, an account of the negotiations carried on by the government of the United States with those of Spain and Great Britain, respecting the navigation of the rivers Mississippi and St. Lawrence.

In the third part, which treats of the *International Rights of States in their pacific relations*, Mr. Wheaton recapitulates succinctly the commonly received rules, respecting the interchange of diplomatic agents, and the conclusion and observance of treaties. In the fourth and last part, which is the longest and most important of all, he discusses the various questions that concern the *International Rights of States in their hostile relations*. These were justly considered by Grotius as constituting the substance of the Law of Nations, and he accordingly gave to his work the title of a Treatise on the Laws of Peace and War.

In considering the rights of war, as between enemies, Mr. Wheaton adverts briefly to the different rules that prevail as to the capture of private property on land and at sea. In the

former case, it is, as is well known, considered as prohibited by the law of nations, and in the latter as admitted. Although no reason, in the least degree satisfactory, ever has been or can be assigned for this difference, no symptom has appeared in the history of modern Europe of a disposition to abandon it, excepting in the single case of the first treaty between the United States and Prussia, negotiated by Dr. Franklin in 1783. In this treaty, it was expressly stipulated (art. 23) in the first place, that private property should not be taken on land without compensation; and then, that *all merchant vessels, employed in the exchange of the produce of different places, and thus supplying their inhabitants with the necessaries, comforts, and luxuries of life, should pass freely and without molestation; and the two contracting Powers agreed not to grant any commissions to privateers, which should authorize them to capture such vessels or to interrupt their trade.*

This article is commonly spoken of, as if its object were merely to prohibit privateering, leaving the capture of private property by public ships on its former footing. Even Mr. Wheaton appears to put this construction upon it. Our readers will perceive by the language of the text, which we give in a literal translation from the French copy before us, that the intention was to prohibit the capture of private property by ships of any kind, and that *privateering* is not prohibited, excepting in its operation on private property.

This article was omitted in the new treaty with Prussia negotiated by Mr. John Quincy Adams in 1799, probably at the suggestion of the other party. In his Presidential Message to the House of Representatives, announcing the appointment of ministers to the intended Congress at Panama, Mr. Adams mentions the abolition of this distinction between the modes of treating private property in time of war on land and at sea, as one of the objects that would probably engage the attention of that body. "I cannot," he remarks, "exaggerate to myself the unfading glory with which these United States will go forth in the memory of future ages, if by their friendly counsel, by their moral influence, by the power of argument and persuasion alone, they can prevail upon the American Nations at Panama, to stipulate by general agreement among themselves, and so far as any of them may be concerned, the abolition of private war upon the ocean."

The topic of the *Rights of War as respects Neutrals*, or, in the

common phrase, *Neutral Rights*, which occupies the closing portion of Mr. Wheaton's book, has created more discussion than any other, and, from the part taken in these discussions by our own country, will be read with great interest. Mr. Wheaton reviews, in a succinct but lucid and satisfactory manner, the questions of the Rule of 1756, of blockade, of the articles properly denominated *contraband* of war, and of the right of search and impressment. On all these delicate and disputed subjects, his views are liberal without being extravagant. The existing usage of nations, which has been determined in a great measure by the practice of the British Government, is considered, by our author, to be of an illiberal character. His own feeling is throughout in favor of the other construction, which it has been for many years past the effort of this country, and of most of the continental powers of Europe, to introduce and establish.

The fundamental doctrine of what may still be called the existing law of nations on these subjects, is that which recognises a belligerent right of visitation and search. Sir William Scott, in his opinion in the case of the Maria,* remarks on this subject, that "no man can deny this right who admits the right of maritime capture; because, if you are not at liberty to ascertain by sufficient inquiry whether there is property that can legally be captured, it is impossible to capture." And Mr. Wheaton appears to coincide in this view of the subject. "Even if the right of capturing enemy's property be ever so strictly limited, and the rule of *free ships free goods*, be adopted, the right of visitation and search is essential, in order to determine whether the ships themselves are neutral, and documented as such, according to the law of nations and treaties." To this, however, the advocates of the opposite doctrine reply, that the right of capturing at sea private property belonging to enemies, admitting it to exist, is an odious one, condemned by the practice on land of the same powers that claim it, and obviously in contravention of the great interests of humanity, which require the limitation in every possible way of the ravages of war. The right in question being of this character, instead of carrying with it any other rights as incidental, must itself, they say, be construed in the strictest possible manner. Instead of requiring every vessel that sails the ocean, to prove by written documents to the satisfaction of a searching officer, that she is not an enemy, natural

* Rob. Adm. Rep. I. 340.

justice, they urge, throws the burden of proof upon the belligerent, who must have sufficient evidence, before he ventures to molest a vessel in any way, that she is an enemy, and then may proceed, as in the case of attacking an armed vessel or a body of armed men, at his peril. They insist, that the idea that because two nations go to war, the commercial exchanges of all other nations are thereby subjected to their supervision, is so obviously untenable, that nothing but the great power of the nations putting forward the pretension could have given it plausibility; and that it would be much nearer the truth to say, that the other nations have a right to look into the causes of the quarrel between the two belligerents, and compel them by force to bring it to an amicable adjustment. In modern times, when any of the principal nations have remained in a state of neutrality during a war in Europe, they have, in fact, looked upon this pretension with very little favor. The coalition of the continental powers commonly called the *Armed Neutrality*, which was formed in the year 1780, and afterwards revived in 1800, began by refusing to submit to the alleged right of search in regard to vessels under convoy. The British Admiralty Courts insisted, and at both these periods the progress of events pretty soon terminated the question, by involving Russia, and the other great neutral powers, in the war. Had they continued neutral, they would probably have soon taken the higher ground of a complete denial of the right of visitation and search.

On the disappearance of this pretension, the questions respecting the rules of *free ships free goods*, *contraband of war*, and *impressment*, would fall of themselves. The British Government, at the opening of the French revolutionary war, attempted, as is well known, to establish the rule that provisions may, in some cases at least, be regarded as contraband, and seized many of our vessels under this pretence. It is to be regretted, that some countenance was given to this pretension by the eighteenth article of Mr. Jay's treaty with Great Britain, recognising the existence of cases in which provisions may, under the law of nations, be regarded as contraband, and providing for them. Mr. Wheaton appears to think, that this article in Mr. Jay's treaty "was manifestly intended to leave the question where it found it. The two parties," says he, "not being able to agree upon a definition of the cases in which alone provisions and other articles, not generally contraband,

may be regarded as such, concurred in stipulating, that whenever any article, so becoming contraband *according to the existing law of nations*, shall for that reason be seized, the same shall not be confiscated, but the owners shall be completely indemnified in the manner provided for in the article." We cannot agree with our author in this view of the effect of the article, or of the intention of the parties. The parties, though unable to agree upon the precise cases in which provisions may be regarded as contraband, agree that there are some such cases, and provide for their occurrence. The objection to this is, that there are no such cases ; and that the pretence that provisions may *in any case* be regarded as *contraband*, was a mere cover for belligerent cupidity. Mr. Wheaton intimates, that the American commissioner may have had in view the case of provisions bound to a blockaded port. But this construction can hardly be admitted, for two reasons ; first, because in regard to articles bound to a blockaded port there is no distinction between contraband and not contraband, the whole being liable to confiscation on a different ground ; and, secondly, it is apparent that this could not have been the intention of the parties, because the case of a blockaded port is provided for in another part of the same article. In making these remarks, we mean of course no disparagement to the character of Mr. Jay, whose patriotism and ability are generally acknowledged, and whose error is to be attributed to no other motive than an anxious desire to effect the object of his mission, and avert the impending danger of a war with England.

Of all the extravagant pretensions put forward by the belligerent powers during the late war, that of paper blockades was perhaps the most violent and absurd. A blockade is the investment by sea of a place, which the besieging party expects to compel by starvation to surrender. To carry supplies of any kind to a place so situated, would be to take a direct part in the war ; and accordingly, the usage of nations authorizes the seizure and confiscation of neutral vessels bound to a blockaded port. But the rule requires, that the blockading force should be actually present ; and the reason of the rule, which would of course govern its application in every impartial prize court, requires, that the place should be invested at the same time by land. Upon this narrow basis of admitted right, the belligerent powers erected the enormous pretension

of establishing by a simple notification, a permanent blockade of all the ports, in the whole coast of kingdoms and continents. It should be added, that each justified these proceedings, chiefly on the ground that they were in retaliation for similar acts by the other. The condition of the *neutral* in this case, was even worse than that of the *Achivi*, in the Latin poet. Whatever extravagance was committed by either belligerent, the neutral (for there was only one), was sure to be plundered by both; and it can be no great matter of surprise to any one, that he was at last "kicked into war."

While the great powers were playing these fantastic tricks before high Heaven, the smaller ones occasionally tried their hands at the same game. In the years 1809, 1810, the king of Denmark undertook to capture a number of American vessels, on various pretences; one of which was, that some of them had made use of British convoy, — a circumstance, which, according to his Danish Majesty's construction of the law of nations, subjected the offending vessel to capture and condemnation. A long negotiation ensued between the two governments, which was terminated, in 1830, by a convention, concluded on the part of the United States by Mr. Wheaton himself, in which Denmark stipulated to pay a fixed sum, by way of indemnity, to be distributed by our own government among the sufferers. Our author's account of the negotiation on this subject, (pp. 353–364,) may be advantageously consulted, for a specimen of the style and manner of the work.

Before we conclude, we are tempted to add a very few remarks upon another recent work, in which the same subject is treated, though in a different way. We allude to the "Manual of Peace," by Professor Upham, of Bowdoin College. Occupying the chair of Mental and Moral Philosophy, in that respectable institution, and known already to the public, in a favorable manner, by several works of great merit, Professor Upham will naturally be heard, with much respect, upon any subject connected with his line of study; and we regret to see the authority of his name lent to opinions, which we consider as decidedly untenable. Without intending to discuss the topics in question, we feel it a duty, to enter our protest against one leading view, in brief but distinct terms.

The doctrine advanced, and maintained throughout the work, is that of the universal *inviolability of human life.* No individual acting in a private or public capacity, is justified in voluntarily taking the life of another, either in the way of punishment for crime, or the strictest self-defence. If defensive war be considered as lawful, says Mr. Upham, there will never be wanting pretences for attributing that character to all wars, however violent and unjustifiable. This may be to a certain extent true ; but the question is not how a certain principle, if true, may be abused, but what the truth is. It may be said in the same way, that, if the use of food, or the intercourse between the sexes, be allowed, the permission will certainly be abused, for purposes of vicious sensual indulgence, and, therefore, that they ought to be entirely prohibited. Though the fact must be admitted, in regard to both, few judicious persons would consider it as authorizing the conclusion. However sophistically the plea of self-defence may be used at times by nations and individuals, there are certainly many cases, in which it may be urged with perfect truth. The laws of nature, and of God, which are the same, authorize in such cases, where necessity requires it, the taking of life ; nor has any nation, of ancient or modern times, ever scrupled to found its legislation upon this basis. Our author relies very much in argument, upon the humane and pacific spirit of our religion, as evinced in various passages of the Scriptures, and particularly the article of the Decalogue, which is emphatically confirmed in the New Testament ; *Thou shalt not kill.* Concurring with him entirely, in his view of the spirit of Christianity, we conceive that his construction of the commandment in question, is contradicted alike by the plain common sense of the world, and by the practice of the people to whom it was originally given ; and who certainly never understood it in the sense now given to it by Mr. Upham. Indeed, the case in which an individual must either lose his own life, or take that of another who is violently attacking him, is obviously one in which the rule admits of no application, because the individual must, in either event, sacrifice life. If, in order to avoid taking the life of his antagonist, he voluntarily gives up his own, he commits suicide ; and this is as clearly within the prohibition of the commandment, as homicide of any other kind. He must necessarily *kill ;* and the only question is, whether he will kill

a sanguinary ruffian, or a quiet and peaceable citizen; — a problem, which, apart from any prejudice founded on the *amour propre* of the individual, can only be solved upon any principle of religion, morals, or common sense, in one way.

We need not, however, go into this minute criticism; nor are we disposed to restrict the right of taking the life of another, in self-defence, to the single case, where it is absolutely indispensable to the preservation of our own. Life is not the greatest of goods; nor is the preservation of it in ourselves, or our neighbours, to be held paramount to all other considerations. Life must be freely and unscrupulously sacrificed, if necessary, in a good cause of any kind. Such is the dictate of the noblest feelings of the heart; and such has been the doctrine and practice of the best and wisest men of every age and country. The voice of God within us confirms it as true, and denounces the opposite sentiment, as cowardly and base. The man who could stand by to see his wife dishonored, and his children slaughtered, and then acquiesce in the loss of his own life, rather than take that of the ruffian, who should undertake to perpetrate these outrages, would not deserve to be classed with his species.

The case is equally clear, of a nation engaged in a *really* defensive war. The question was put to the late Mr. Grimké, of Charleston, S. C., who was an enthusiast upon this subject, what he would do, if a band of pirates should assail a town, of which he should happen to be the responsible magistrate. His answer, which Mr. Upham quotes at length, and with high approbation, was substantially as follows. "If any fellow-citizen insisted upon my taking measures for a forcible defence, I would at once resign. If I could have my own way, I should make proclamation, that all the churches be opened, and that prayer be offered by the clergy, and all the pious, that God would be pleased to change the hearts of our invaders, and to manifest his power and mercy in our deliverance. That done, I should throw open the gate that fronted the enemy. Thence would I issue forth, not with a band of cavalry and infantry, but with all the clergy, and a long succession of Sunday School teachers and scholars, dressed in the white robes of peace, and chanting no battle song of the Bruce, but the hymn of Christian faith and hope. Can it be doubted, that such a spectacle would soften the hearts, and change the purposes, of that band of greedy, lustful, bloodthirsty pirates?"

It is unnecessary, we presume, to comment upon this passage. We are induced to notice it, because we consider such extravagancies in the professed, and, no doubt, sincere advocates of humanity and justice, as exceedingly prejudicial to the cause. We regret to see them countenanced by the authority of Mr. Upham.

ART. III. — *The Works of William Cowper, Esq. With a Life of the Author*, by the Editor, ROBERT SOUTHEY, Esq., LL. D., Poet Laureate, &c. London. 1835 – 36. Five Volumes. 16mo.

COWPER'S genius, character, and singular history would alone account for the interest that has been felt in the particulars of his life; but several circumstances have no doubt aided to strengthen and sustain it. A large part of his Biography being composed of his familiar letters, and even shadowed forth, not ambiguously, in his most popular poetry, an acquaintance next to personal has been established between the author and his readers. Again, the whole of his case was not laid at once before the world by his biographers; some facts, and not the least striking, were disclosed at distant periods. If attention had drooped, it was sure to be revived by some new form of horror; and curiosity was no doubt animated by the suspicion, that there was yet more in reserve. And further, the undisputed facts of his life have led to differing opinions, sometimes upon points, which, to say the least, are exceedingly curious, and at others upon those which are always important, if for no other reason than that they are always agitating. There are questions not yet at rest concerning the religious aspects of his case; new theories are still offered to explain the phenomena of his mental disease; and, unnatural as it may seem in connexion with Cowper, a portion of the zeal that is now manifested in relation to him bears some marks of party feeling.

Hayley, his friend and earliest biographer, was induced, by tenderness to the living and to the memory of the dead, and no doubt by a reluctance to injure the pleasing idea which the readers of his poetry had formed of the man, to withhold or touch lightly upon, the particulars of his insanity. He